

## **REMARKS**

### **FORMAL MATTERS:**

Claims 1, 6-7, 9, 10 and 22-24 are pending after entry of the amendments set forth herein.

Claims 3 and 5 are canceled without prejudice.

Claims 1, 9, 10 and 22 are amended. Support for the amendment to claim 1 is found at, for example, page 14, line 26-27, page 15, lines 3-5, page 39, line 32 and claim 5, now cancelled. Claims 9, 10 and 22 are amended to be dependent upon new claim 24. Support for new claim 24 is found in claim 8 as originally filed.

No new matter is added.

Reconsideration of this application is respectfully requested.

### **REJECTIONS UNDER §103(A)**

Claims 1, 3, 9-10, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Del Vecchio et al (WO 99/01582) in view of teachings of Jin et al (Arch. Biochem. Biophys. 20: 47-53), Kadare et al (J. Virol. 70: 8169-74), Rodriguez et al. (J. Biol. Chem. 268: 8105-10) and Wimmer et al. (US 2002/0098202).

Claim 5 is indicated as allowable. Claim 1 has been amended to include the allowable subject matter of claim 5 and, as such, this rejection is believed to be moot and may be withdrawn.

The Applicants note that claim 5 was also indicated as allowable in the Office Action of July 11, 2008, *prior* to the addition of “determining an effect of said candidate agent on replication of HCV” to claim 1. As such, removal of “determining an effect of said candidate agent on replication of HCV” in this response should generate no new issues for the Examiner.

Withdrawal of this rejection is respectfully requested.

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Del Vecchio in view of Jin, Kadaré, Rodriquez, and of Wimmer; and further in view of Morouianu (Proc. Natl. Acad. Sci. 92: 4318-22).

Claims 6 and 7 are dependent upon Claim 1 which, as noted above, has been amended to include the allowable subject matter of claim 5. As such, this rejection is believed to be moot and may be withdrawn.

Withdrawal of this rejection is respectfully requested.

Applicant submits that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number STAN-316.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

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